

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/615,560	
	Filing Date	July 8, 2003	
	First Named Inventor	Paul C. Cicolella	
	Art Unit	1645	
	Examiner Name	TBD	
Total Number of Pages in This Submission	4	Attorney Docket Number	3429.1

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Substitute for Form 1449A (one page); - References (5); and - Postcard
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Thomas Malone, Reg. No.: 40,078
Signature	
Date	3/10/04

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Leticia R. Block		
Signature		Date	03-18-2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT  
Attorney Docket No. 3429.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Paul C. Cicolella  
Serial No: 10/615,560  
Filing Date: July 8, 2003  
Title: System and Method for  
Examination of  
Microarrays Using  
Scanning Electron  
Microscope

Examiner: TBD

Group Art Unit: 1645

INFORMATION DISCLOSURE  
STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR § 1.56, § 1.97 and § 1.98, the documents listed on the accompanying U.S. Patent & Trademark Office's Modified Form-1449 are called to the attention of the Examiner for consideration in connection with the above-identified patent application.

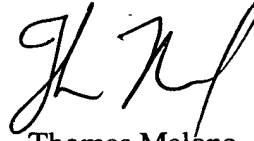
Citation of these documents shall not be construed as (1) an admission that the documents are necessarily prior art with respect to the instant invention; (2) a representation that a search has been made; or (3) an admission that the information cited herein is, or is considered to be, material to patentability in any way, including that as defined in § 1.56(b).

Applicants believe that no fee is required for submission of this statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby

authorized to charge the required fees to Account No. 01-0431 in order to have this Information Disclosure Statement considered.

Dated: 3/17/04

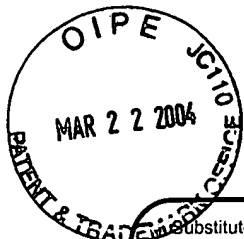
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'JL M', written over the printed name Thomas Malone.

Thomas Malone

Reg. No.: 40,078

Customer No. 22886  
Legal Department  
Affymetrix, Inc.  
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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>			
		Application Number	10/615,560		
		Filing Date	July 8, 2003		
		First Named Inventor	Paul C. Cicolella		
		Art Unit	1645		
		Examiner Name	TBD		
Sheet	1	of	1	Attorney Docket Number	3429.1

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	HE, LIN, ET AL., Colloidal Au-Enhanced Surface Plasmon Resonance for Ultrasensitive Detection of DNA Hybridization, Journal of the American Chemical Society, 2000, pages 9071-77 + supporting info pages S1-S5, Vol. 122, No. 38, ACS Publications, USA.	
	2	TATON, T. ANDREW, ET AL., Two-Color Labeling of Oligonucleotide Arrays via Size-Selective Scattering of Nanoparticle Probes, Journal of the American Chemical Society, 2001, pages 5164-65 + supporting info pages S1-S11, Vol. 123, No. 21, ACS Publications, USA.	
	3	ERLANDSEN, S.L., ET AL., High Resolution Backscatter Electron (BSE) Imaging of Immunogold with In-Lens and Below-The-Lens Field Emission Scanning Electron Microscopes, Scanning Microscopy, 1999, pages 45-54, Vol. 13, No. 1, Scanning Microscopy International, Chicago (AMF O'Hare), IL, USA.	
	4	HERMANN, RENE, ET AL., Immunogold labeling in scanning electron microscopy, Histochemistry and Cell Biology, July 1996, pages 31-9, Vol. 106, No. 1, Springer-Verlag, USA.	
	5	YOUNGHUSBAND, H. BANFIELD, ET AL. (Biophysics Laboratory and Biochemistry Department, University of Wisconsin - Madison), The Electronmicroscopy of DNA, 1974, pages 605-19.	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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